

A

REVIEW

OF THE

STATE

OF THE

ENGLISH NATION.

Tuesday, February 12. 1706.

I Never made a Doubt, but some time or other, the Parliament would concern themselves to Enquire into the Intollerable Grievance to Trade, from the Knavery and Cunning of Designing Men. Publick Mischiefs always Cure themselves when they grow so Popular, and so Fatal, that they Alarm the Nation, and Awaken Sleeping Justice to enquire into the Consequences: Thus Lotteries, Royal Oaks, and such Nuances of the Town obtain'd Redress, even by their own Magnitude, growing Scandalous to the Nation, and Nauseous to all that observ'd them.

The Mischiefs of Trade by Bankrupts, Fraudulent Breakings, and Barratry of the Tradesmen, have been so Publick, that frequent Laws have been made to Suppress them; but the Misfortune of this Nation

is, and that's what I am now Complaining of, that the Laws against Bankrupts and Debtors are become, by the Ill Conduct, both of Debtor and Creditor, as great a Grievance as the Crime.

And this is what I am now upon, and I begin with the Creditor, because there being a Bill depending in the House of Commons, to prevent and Punish Fraudulent Bankrupts, I shall in the course of this Head, say something, which I hope may be useful to prompt, if possible, our Legislators, to add an effectual Cure to this Evil.

The present thing I shall therefore Debate, is the properest Method, to prevent Fraudulent Breaking of Tradesmen; and here I must begin with the Negative, as in like Cases, and must say, *which I Question*

not I shall make out, that the Methods now taken in *England*, to pursue Bankrupts and Debtors, are so far from Answering the True end of the Law, that they are really an Encrease of the Number of Bankrupts, and an Encouragement to their Frauds; and to Explain this, I shall prove,

1. That Commissions of Bankrupt, tho' well design'd by the first Contrivers, are, as now practis'd in *England*, Pernicious to Trade, Destructive of the Interest both of Debtor and Creditor, and a very great occasion of the Common Frauds of Bankrupts, by making Men Desperate, and driving them to all Extremities, to Defraud and Cheat their Creditors.

2. That the Law lately made for the Perpetual Imprisonment of Debtors without Bail, and without Distinction of Circumstance; is Barbarous and Inhumane, in Practice Unjust, and Unequal in its Nature; Ruinous to Trade, and tending to make Men Desperate, and an Encrease of Fraudulent Ruptures in Trade.

When I have done this, I shall Attempt the Display of the Debtor-side of Villany, and Humbly offer, at some such proper Mediums of Restraint, both upon Debtor and Creditor, which being put into form, and reduc'd to Practice, may effectually prevent, or severely Punish Fraudulent Bankrupts, and duly Compassionate and Encourage the Miserable and Unhappy, who are willing to be Honest, are Industrious in Business, but Reduc'd by Casualty, unavoidable Decays, or other well accounted for Circumstances.

Those Gentlemen, who prompt Commissions upon every Fracture in Trade, merely to Furnish themselves with Business, and let themselves into other Mens Estates, must Excuse me to tell them, I must Treat them very plainly by themselves; and tho' I doubt the Truths to be told upon that Head, will not Please them, since it will leave them to Account for the Ruine of a great many Honest Families, who with more gentle Usage, might have been Preserv'd; yet I hope they who are Employ'd in the Necessity without the Fraud, will not

think themselves at all Concern'd in it.

Violent Measures in the Case of Debtors, cannot be equally useful in all Cases, because Ruptures in Trade, proceed from various and different Causes; as no Measures can be too Severe, to prevent the Villainous Practices of wilful design'd Bankrupts; so no Tenderness can be too great with those Honest, Industrious, and Diligent Families, who fall into Evil Hands, by the meer Surprise of these Villainous Ruptures.

But what shall we then say, to the Executing these Commissions with equal Fraud and Dishonesty to the Knave they pretend to Detect; to recover the Debts of a Bankrupt, and having gotten them into their Hands, Employ them, neither to the Relief of Debtor or Creditor, neither to satisfy his just Debts, nor to free him from the Sorrows and Disorders of his Affairs; should I enter into a List of the Commissions of Bankrupt, which have been taken out, proceeded upon, and yet never Arriv'd to the Perfection of a Dividend, but have wasted all they have taken hold of in Expences, Entangled Law Suits, and a long *Et cetera* of Oppressions and Violences among the Creditors; it would descend too low into the Lay-Stall of Trade, and Expose the very Nation it self.

But the Present Discourse aims more particularly to Examine, how the General Practice of Statutes and Commissioners, really tends to weaken the Publick, prevents rational Means of Restoring the Breaches of Trade, Exasperates Men, that being willing to Discover their Estates, and deliver their Effects to their Creditors, are Discourag'd by the furious Methods taken by Men of Unmerciful Principles; are Driven to all the Parts of Desperation, both upon themselves and their Effects, and which oftentimes ends in the Destruction of those Families that might be Sav'd, and might be render'd useful to the Publick; and of this, I doubt not to give such Demonstrable Accounts, as shall satisfy any Unprejudic'd Judges, and as may in Time, produce such Laws

and

and Clauses, as shall refrain Men of Violence, from Ruining those, they ought to Preserve.

I am Glad to Write of this, in a time, when the Praetice is grown up to such an Extravagant Excess, as to threaten Trade a second time; and when the Parliament, Alarm'd with the growing Evil, seem Enclin'd to Redress it, a Bill being now depending in the House, as I am told, to prevent it; I shall first enter a little into the Mischief, and then Discourse upon the Remedy.

I had the Good Fortune, to be the first that Complain'd of this encroaching Evil in former Days, and think my self not too Vain in saying, my Humble Representations, in a Day when I could be heard, of the abominable Insolence or Bankrupts, practis'd in the *Mint* and *Fryars*, gave the first Mortal Blow, to the Prosperity of those Excesses.

The Evil was indeed grown up to a monstrous height in those Days; and nothing was more frequent, than to have a Man in full Credit, Buy all the Goods he could lay his Hands on, and Carry them directly from the House he bought them at, into the *Fryars*, and then send for his Creditors and Laugh at them, Insult them, shewing them their own Goods untouch'd, offer them a Trifle in Satisfaction, and if they refused it, bid them Desfiance; and I cannot Refrain Vouching this of my own Knowledge, since I have more than many times been serv'd so my self.

And as I printed my Thoughts of this Nufance many Years ago, and of the little Advantage, or rather great Disadvantage, Commissions of Bankrupts were in the Case, I Crave the Liberty, tho' something unusual to Quote in my next, so much of it, as is necessary to recover the Memory of this Mischief to the World.

MISCELLANEA.

THE following Question, has been sent me under Sundry Forms, upon the several Changes of Affairs in the North.

WHAT is your Opinion of the War in POLAND?

This Question contains four very distinct Cases;

1. Relating to the King of Sweden,
2. Relating to the King of Poland,
3. Relating to the *Czar of Muscovy*,
4. Relating to the New made King

Stanislaus.

As far as I may venture my Opinion of his Swedish Majesty, without Disobliging his Ambassador, I shall speak very plain.

1. All those People, who once fancy'd the King of Swedeland Fighting the Cause of Religion in Poland, and that having a

just Provocation, he would make use of the Occasion, to Restore the Protestant Religion there, have now Leisure to find themselves Mistaken; and that his Swedish Majesty Fights for Religion, just as other Princes do, when it comes in their way, but when they find they can't Answer their other ends, without quitting the Sacred Pretence, they generally let it drop in the Management, and make Peace without it, as now appears in the Treaty, between King *Stanislaus*, and the King of Swedeland, and as it was once before, in the Case of the *Palatinate* at the Treaty of *Ryswick*.

2. If the King of S—land had Capitulated, for the Restoring the Protestant Religion in Poland, His Majesty had but done justice to the Poles, for the Injury done by his Ancestor, C—us G——us, who

who in his ravaging *Poland*, destroy'd the Evangelick Churches, which by former Capitulations, were to be protected in *Poland*; and from whence, now their Power is restor'd, they have Capitulated with their Princes, for the maintaining only the Popish Churches. Now as this was such a Depredation upon the Protestant Religion, which one would not have Expected, from a Protestant Prince, who Zealously profess himself such; so had his present Majesty Attempted to Restore, and Re-build them, it had been rather a Debt than a Bounty.

3. If the King of *Sweden*, Obstinate-ly pursuing the Enmity with the King of *Poland*, should meet with a Defeat, a great many that were formerly Friends to his Design, would not now be Sorry for it.

4. A great many that would be willing to have the King of *Sweden*, since nothing else will prevail with him, Beaten soundly till he was willing to settle the Peace of the North, would nevertheless be very Sorry to see him Ruin'd; of which Number I profess myself to be one.

5. As to a Battle, I believe he will not find the *Moscovites* so easie to be Beaten, under the Discipline and Conduct of the King of *Poland*, as he did at the Battle of *Narva*; and *Europe* may, sometime or other, come to thank him for teaching them to be good Soldiers, as it may somebody else for Teaching them to Build Ships.

The second Head, relating to his Polish Majesty, I refer to the next.

ADVERTISEMENTS.

WHEREAS Notice is given in Yesterday's *Gazette*, of the Common Prayer Book at *Sr. Lawrence's Church*, being Defac'd, and particularly the Services for the 30th of *January*, 29th of *May*, 5th of *November*, the three Forms for Ordaining Bishops, Priests, and Deacons, and the 39 Articles, were wholly torn out.

These are to give Notice, that besides the said Reward offer'd in the *Gazette*, if any Person will come and certify, whether true or no, is not material; that this was done by a Dissenter, and in Detestation and Desfiance of the Church of *England*, and

bring the said Certification to the Author or Printer of the *Rehearsal*, for the Publick Good; they shall be well rewarded for their Pains; It being of no manner of Use to the High Church Interest, unless some honest Zealot for the Party, will run the Venture of such a Discovery.

Just publish'd,

A Geographical and Historical Account of the Principality of *Catalonia*, and Earldom of *Barcelona*. Containing the Description of that Country and City, and of all other Places of Note, and its Principal Rivers, the Succession of its Princes, and all Notable Revolutions from the first Ages, to this present time. *London*, Printed, and sold by *John Nutt*, near *Stationers Hall*, 1705.

RHOMBI SCOLETEINI: Or, the Lozenge for Killing Worms. These Lozenges are not only effectual in that Distemper, but also in all Scorbatick Cates; Loss of Appetite, Loathsomness to Meat; Pains in the Head and Stomach; they expel the Gravel, help the Dropsie, Gout, and Rheumatism, Cure the Ague, and are an excellent Cleanser after Small Pox, Meazles, and Child-Bearing. Prepared only by *Ralph Owner*, Apothecary, at the Pestle and Mortar, next door but one to the Crown, near the May-Pole in *East-Smithfield*.

THE Royal Essence for the Hair of the Head and Perriwigs, being the most delicate and charming Perfume in Nature, and the greatest Preserver of Hair in the World, for it keeps that of Perriwigs (a much longer time than usual) in the Curl, and fair Hair from fading or changing colour, makes the Hair of the Head grow thick, strengthens and confirms its Roots, and effectually prevents it from falling off or splitting at the ends, makes the Powder continue in all Hair longer than it possibly will, by the use of any other thing. By its incomparable Odour and Fragancy it strengthens the Brain, revives the Spirits quickens the Memory and makes the Heart chearful, never raises the Vapours in Ladies, &c. being wholly free from (and abundantly more delightful and pleasant than) Musk, Civet, &c. 'Tis indeed an unparallel'd fine Scent for the Pocket, and perfumes Handkerchiefs, &c. excellently. To be had only at *Mr. Allers's*, a Toyshop at the Blue-Coat Bay against the Royal Exchange in *Cornhill*. Sealed up, at 2 s. 6 d. a Bottle with Directions. Beware of Counterfeits, such are abroad, accompany'd with Base Insinuations, and Romantick pretences.